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January 28, 2004

**EX PARTE**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
The Portals  
445 12<sup>th</sup> St. SW  
Washington, D.C. 20554

**Re: CC Docket 02-361**

Dear Ms. Dortch:

This is to inform you that on January 27, 2004, BellSouth met with various FCC staff concerning AT&T's Petition for Declaratory Ruling in the docket identified above. In separate meetings, BellSouth met with Lisa Zaina, Senior Legal Advisor to Commissioner Adelstein; Jessica Rosenworcel, Legal Advisor to Commissioner Copps; Dan Gonzalez, Senior Legal Advisor to Commissioner Martin; Matthew Brill, Senior Legal Advisor to Commissioner Abernathy; and Jeff Dygert, and Debra Weiner of OGC. Representing BellSouth at these meetings were Beth Shiroishi, Steve Earnest, Jonathon Banks, and the undersigned.

The attached presentation was distributed at these meetings and formed the basis for discussion. In particular, BellSouth described the history of its negotiations with IXCs and CLECs and explained how those experiences undermine any argument that the industry has somehow presumed the services described in AT&T's petition as being exempt from access charges.

Pursuant to the Commission's rules, please include this notice and attachment in the record of the proceeding identified above.

Sincerely,



Glenn T. Reynolds

cc: Lisa Zaina                      Jessica Rosenworcel  
     Dan Gonzalez                Matthew Brill